IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2840 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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YASHWANTBHAI KASHINATH JSOHI - Petitioner(s)
Versus
DIRECTOR OF LIBRARIES & 3 - Respondent(s)

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Appearance :
NOTICE UNSERVED for Petitioner(s) : 1,(MR ANANT S DAVE) for Petitioner(s) : 1,
MR DA DESAI for Respondent(s) : 1,
NOTICE SERVED for Respondent(s) : 2, 4,
M/S PATEL ADVOCATES for Respondent(s) : 3,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 10/01/2007

ORAL JUDGMENT

By way of this petition under Article 226 of the Constitution of India, the petitioner has prayed for a appropriate order quashing and setting aside the order dated 2-4-1996 by which the respondent No.1 has kept the

pay scale of the petitioner i.e. Rs.2200-4000 in abeyance as the same was under consideration with the State Government.

It appears from the record that the pay scale of Rs.2200-4000 was granted to the petitioner w.e.f. 2-11-1991. However, subsequently by impugned communication/ order, the same was kept in abeyance. It appears that during the pendency of the present Special Civil Application, interim relief was refused.

Today, when the matter is called out, Shri Dipan Desai, learned AGP has produced one order dated 11-9-2002 passed by the Executive Engineer (Administration) of the respondent No.1 by which it is held that he was entitled to benefit of first higher pay scale w.e.f.2-11-1991. It is submitted that the said order has been accepted by the petitioner. The respondents are directed to act as per the order dated 11-9-2002 and grant the benefit to the petitioner accordingly.

In view of the above, no further order is required to be passed by this Court except the direction as stated above. This petition is accordingly disposed of. Rule discharged. No costs.

(M.R.SHAH,J.)

shekhar/-